



AUG 31 2004

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/698,439	11/03/2003	Christine A. Franke	016921-212

## CONFIRMATION NO. 1516

21839  
BURNS DOANE SWECKER & MATHIS L L P  
POST OFFICE BOX 1404  
ALEXANDRIA, VA 22313-1404

## FORMALITIES LETTER



\*OC000000013487349\*

Date Mailed: 08/09/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/01/2004 SZEWDIE1 00000039 10698439

## FILED UNDER 37 CFR 1.53(b)

01 FC:1051

130.00 DP

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

[patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE



Patent  
Attorney Docket No. 016921-212

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Christine A. Franke et al.

Group Art Unit: 1646

Application No.: 10/698,439

Examiner:

Filing Date: November 3, 2003

Confirmation No.: 1516

Title: NEW INTERGENIC AND INTRAGENATION FOR FOREIGN GENE EXPRESSION IN RECOMBINANT S. GORDINI STRAINS

**TRANSMITTAL LETTER FOR MISSING PARTS OF APPLICATION**

**MAIL STOP MISSING PARTS**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In complete response to the Notice to File Missing Parts of Application filed Under 37 C.F.R. § 1.53(b) dated August 9, 2004, enclosed please find:

- a Combined Declaration and Power of Attorney signed by the inventor(s);
  - Note that the inventor/inventors identified on the concurrently filed Combined Declaration and Power of Attorney is/are different than listed on the application filing papers.
- an Application Data Sheet;
- the surcharge of  \$65.00 (2051)  \$130.00 (1051) as set forth in 37 C.F.R. § 1.16(e);
- a Request for Refund;
- a Petition for Extension of Time;
- a verified English translation of the Application, and the \$130.00 (1053) fee as set forth in 37 C.F.R. § 1.17(k);
- an Assignment document and a separate check for the \$40.00 (8021) Assignment recordation fee;
- drawings for publication;
- IDS;
- a certified copy of the priority document; and
- other \_\_\_\_\_  
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A check in the amount of \$ 130.00 for the fee due for missing parts is enclosed.

Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due for missing parts.

Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

Small entity status is hereby claimed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

P.O. Box 1404  
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Date: August 31, 2004

By



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